Taken from a Bdle.

G. R. S. 58].

Previous references.
Ch 314 of 11 (1-2 X)
Ch 61-12 Sh 1-3B..
D

Later references.
D 3062 of 14-19.
Proc. Dep no 191-19
Ch. 218-19 (1-4)
" 110-23 (1-4)

1912.
(Courts)

File No. 172-13

Serial Nos. 1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for March 13.

SUBJECT.

Reciprocity in the matter of the service in Ceylon and execution of summonses & decrees issued by British India and other Courts.

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1. From the H.A. Resident. no 1338 7 Jan 13.

Forwards copies of certain notifications in the above matter.

GPB—5,000—22-10-10

Declaration
1913

G.R.S. 11] 1912-13.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cts File No. 172-12.

FILE HEADING.

Reciprocity in the matter of the Service and execution in Mysore of Summonses and decrees issued by British Indian and other Courts.

From The First Assistant to the Resident

No. 133 Dated 7-1-13 Received 9.1.13

Diary No. J1743	Enclos. — Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards for information Copies of the Govt of India Notifications regarding the Service and execution in Mysore of the Summonses and decrees issued by the British Indian and other Courts.

NOTES AND ORDERS.

Dcag P. (Page 1 of notes) Dewan's query on the Jappal Abstract & "Is this practice reciprocated?"

Intd. M.V. 11.1.13.

Subd

2. The Govt of India Notifications

NOTES—First Sheet.

GPB—30,000—12-8-11

C R. S. 12]

General and Revenue Secretariat. | Cts File No. 172 of 1912-13.

Serial No.

in the matter of the Service and execution in British India and Foreign States of Summonses and and decrees issued by the Civil Courts in Mysore, are to be found Collected as enclosures to Serial (1) of Courts File N 314 of 1911-12. (Please See also pages 62-63 and 105-107 of the Civil Digest).

Reg Ct.

3 (2) The notifications, Copies of which have now been received, may perhaps be republished in the Mysore Gazette for the information of our Courts. Subs for orders

HCS 122 (11) 18/1/13 20/1

HCS may be asked to issue it in a day or two 20/1/13

4 As regards the Dewan's query it may be stated that arrangements regarding Service of Summonses & execution of decrees as between Mysore Courts in British India are reciprocal, as stated in the first Sentence of Res't letter dated 31-5-1912.

5 The notifns now sent to us

* Please see Flagstaff page 1 of the correspondence in the collection Flagged V

NOTE—Contn. sheet.

C R. S. 12]

General and Revenue Secretariat. | Cls File No. 172 of 1912

Serial No.

need not be published in the Gazette as these are notifns issued by the Govt of India for the information of their own Courts. They simply Embody the provns of the Civil Pro Code & the notifn* issued by the Durbar thereunder, regarding the two matters of Service of Summonses & Execution of decrees, for the information of the British Courts & No further action seems necessary.

Dy Sec'y) Spk 28.1.13

Cls 61-12-2 Finance

Sec's 29 & Notif'n flagged V & Sec 43 of the Civil Pro: code flagged W

Flag W only

Resubmit after referencing the A.S.'s note

Decree 30/1/13 JSV 30/1/13

Resub'd after referencing KG. 31/1. SW

The following provisions explain the case :—

5 (a) Part I of the Notification — No 2622 I-B. deals with foreign Summonses received for service in Mysore. It is based on Sec 29 Civil Pro code & Mysore Gazt. Notif. flag V.

Cls 61-12-2

6 (b) Part II of the Notf: No 2623-I-B: deals with foreign decrees received for execution in Mysore. It is based on Sec 43 Civil Pro code and Civil Digest provisions — pages 6286-3 & 105 & 106.

7 Hence the Notif now received contains nothing new so far as Mysore is concerned.

8 (c) There is complete reciprocity in the matter, as may

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

1743

[7. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 1912.

Serial No.	
	Cls 314-11-1 There was a slip in place of the aforesaid file & the reference is (probably) circulate it)
	be seen from the Rs with letter — flag A. The papers may be merely recorded. D.M. Narasyya Rev 1/2/13 SDR 1.2.13
	1st Consultn & Drawn
	25/2/13
	1623 26.2.13
	Drawn Drawn 26/2 25/2 SDR 25/2
	RC 25.3.13 27/3 Drawn 27/3 SDR 27/3
	CS to the Whether further instructions in Cantpn SDR 27/3
	B 28/3/13

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

(5

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Copy of Residency letter forwarding copies of Notifications of the Govt of India declaring that Summonses issued by Courts in British India under the Civil Procedure Code 1908, may be served by any Civil Courts in Mysore is submitted to the Dewan.

Bharaindamiah

8/1/13 Registrar Gl.

So the practice appears to be

11.1.13

B III

13

14/1

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—25,000—11-11-11

(1)

0172-12

Cts File No [illegible]

R. N. 8. 1.

~~No. 2621 I.B.~~

Government of India.

F O R E I G N D E P A R T M E N T

Simla, the 24th December 1912.

Notifications

No. 2621 I.B

The Governor General in Council is pleased to declare that summonses issued by Courts in British India under the Code of Civil Procedure 1908 (V of 1908) may be served by any Civil Court of the Mysore State.

No. 2622-I.B

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to declare that a summons issued by any Civil or Revenue Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, may be sent for service to any Civil Court of the Mysore State, and that if such Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served, such endorsement shall be deemed to be evidence of service.

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No. 2623. I.B.

It is notified for general information that the following Native States have agreed that the decrees passed by Civil Courts established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State may be executed by the Courts in their territories named below, namely:-

Mysore,	All Civil Courts.
Baroda	Ditto (tentatively till July 1914).

(2)

No. 2624 I.B.

The notifications of the Government of India in the Foreign Department Nos. 1652-I. and 1653-I., dated the 13th April 1887, are hereby cancelled.

Sd/- A.H. McMahon,
Secretary to the Government of India

Pol & Eo 1162 & 1743

Mysore Resident's Office,
Bangalore, the 7th January 1913

1743

No. 133

A copy of each of the foregoing notifications is forwarded herewith to the Government of His Highness the Maharaja of Mysore for information.

First Assistant Resident.